

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of
R. Hamilton et al.

) Examiner of Parent Application:
) L. Thanh

For **CATHETER HAVING A SOFT
DISTAL TIP**

Group Art Unit: Not Assigned

Serial No.: Not Assigned

Customer No.: 23422

Filed: November 19, 2001

REQUEST FOR FILING A DIVISIONAL
APPLICATION UNDER 37 C.F.R. §1.53(b)

Docket No.: 9600.6471

Express Mail Label No.: EL 873008280 US
Mailed in San Francisco, on November 19, 2001

BOX PATENT APPLICATION
Assistant Commissioner of Patents
Washington, D.C. 20231

Sir:

This is a request for filing a divisional application under 37 C.F.R. § 1.53(b), of pending prior application Serial No. 09/471,053, filed December 21, 1999, of R. Hamilton et al, for **CATHETER HAVING A SOFT DISTAL TIP**.

1. Enclosed is a true copy of the prior complete application as filed, including the specification (including claims), drawings, and unsigned declaration.
2. This application discloses and claims only subject matter disclosed in the prior application whose particulars are set out above. With respect to the prior copending U.S. application from which this application claims benefit under 35 U.S.C. § 120, the inventor(s) in this application is (are):

$|X|$ the same.

/_/_ less than those named in the prior application and it is requested that the following inventors identified above for the prior application be deleted:

3. ☒ The filing fees are to be calculated on the claims as filed in the prior application and the claims remaining as a result of the:

☐ amendment below;

☒ attached Preliminary Amendment.

FILING FEE CALCULATION

Description	Claims	Extra	Rate	Fee Code	Fee
Basic Filing Fee				101	\$740
Independent Claims	3 - 3=	0 x	\$84=	102	
Total Claims	6 -20=	0 x	\$18=	103	

TOTAL FEES DUE \$740

4. Payment of Filing Fees:

☒ A check in the amount of \$740 is enclosed herewith.

☒ The commissioner is hereby authorized to charge any additional fees which may be required or credit any overpayment to Deposit Account No. 13-0201, referencing Attorney Docket No. 9600.6830. A duplicate of this request is attached.

5. The prior application is assigned of record to:

Advanced Cardiovascular Systems, Inc.

6. The power of attorney in the prior application is to: **Edward J. Lynch.**

☒ The power appears in the original papers in the prior application.

☐ A Power of Attorney and Revocation of Prior Powers is enclosed.

7. Please address all future correspondence to:

**Edward J. Lynch
Coudert Brothers LLP
600 Beach Street, 3RD Floor
San Francisco, CA 94109**

8. Also enclosed herewith:

- /X/ Copy of prior complete application as filed (including the signed Declaration and Power of Attorney);
- /X/ Submission of formal drawings in triplicate, including 3 (three) sheets;
- /X/ Preliminary Amendment;
- /X/ Check in the amount of \$740;
- /X/ Two Return Receipt Postcard.

Respectfully submitted,

By: 
Edward J. Lynch
Attorney for Applicants
Registration No. 24,422

Coudert Brothers LLP
600 Beach Street, 3RD floor
San Francisco, CA 94109
Direct Dial: (415) 351-5681
Facsimile: (415) 409-7400

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Divisional Application)	Customer No.: 23,422
)	
For: Catheter Having A Soft Distal Tip)	
)	
Inventor: R. Hamilton <i>et al.</i>)	
)	
Application Serial No.: Unassigned)	<u>PETITION TO OBTAIN</u>
)	<u>FILING DATE</u>
Filed: November 19, 2001)	
)	
Atty. Docket No.: 9600.6471)	
)	
)	
)	

Express Mail Label No.: EL 867658051 US
Mailed in San Francisco, CA on November 26, 2001

PETITION TO OBTAIN FILING DATE

The Assistant Commissioner of Patents
Box Patent Application
United States Patent and Trademark Office
2900 Crystal Drive
Arlington, VA 22202

Receipt date granted
is 11/19/01.
J. Chang
from OP2A

Dear Sir:

Applicant hereby petitions to obtain a filing date of November 19, 2001, for the above divisional application. A copy of the application as Express Mailed on November 19, 2001 is attached as Exhibit A. The original application as filed with a check for \$740.00, Request for Filing Divisional Application and two return receipt postcards are also enclosed.

Applicant's counsel Express Mailed the above application on November 19, 2001, requesting the priority date of the parent application Serial No. 09/471,053, filed on December 21, 1999. A copy of the Express Mail receipt is attached as Exhibit B indicating a mailing date of November 19, 2001. However, due to the U.S. Postal Service interruption declared on November 16, 2001, the Express Mail package in which this application was mailed was returned to applicant's counsel. A copy of the notice from the U.S. Postal Service which was attached to the returned Express Mail package is attached as Exhibit C.

This petition has been timely filed. In the event any fees are due for this petition applicant respectfully request that such fees be charged to Deposit Account 13-0201, noting Attorney Docket Number 9600.6471.

Respectfully submitted,



Edward J. Lynch
Registration No. 24,422
Attorney for Applicants

Coudert Brothers LLP
600 Beach Street, 3RD Floor
San Francisco, CA 94109
Direct Dial: (415) 351-5681
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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of)	Examiner of Parent Application:
<i>R. Hamilton et al.</i>)	L. Thanh
For: CATHETER HAVING A SOFT)	Group Art Unit: 3763
DISTAL TIP)	Customer No.: 23,422
Serial No.: Unassigned)	<u>SUBMISSION OF</u>
Filed: November 19, 2001)	<u>FORMAL DRAWINGS</u>
Atty. Docket No.: 9600.6471)	

Express Mail Label No.: 873008280 US
Mailed in San Francisco, CA on November 19, 2001

Attn: Official Draftsman
Assistant Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

Enclosed herewith are three (3) sheets of formal drawings in connection with the above-identified application. For the Examiner's convenience these drawings are submitted in triplicate and in photostatic form as expressly provided by MPEP §608.02

By: 

Edward J. Lynch
Attorney for Applicants
Registration No. 24,422

Coudert Brothers LLP
600 Beach Street, 3RD Floor
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